

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH H. MASRI,

Plaintiff,

Case No.: 17-cv-4094 (KMK)

-against-

ERIC OLE THORSEN, THORSEN LAW
OFFICES, ZION SALL & ESTHER R.
MASRI,

**NOTICE OF
MOTION TO DISMISS**

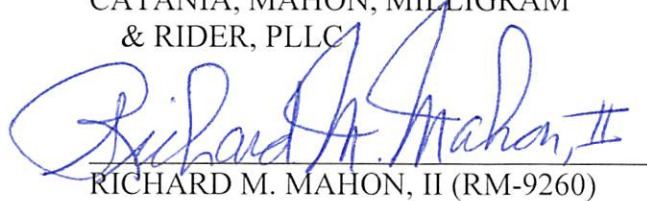
Defendants.
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PLEASE TAKE NOTICE that upon the attorney declaration of Richard M. Mahon, II, Esq., and the exhibits annexed thereto; the accompanying Memorandum of Law in support Motion to Dismiss on Behalf of Defendants ZION SAAL (s/h/a "Zion Sall") AND ESTHER R. MASRI; and upon all prior pleadings and proceedings heretofore had herein, the undersigned will move this Court before the Hon. Kenneth M. Karas, United States District Judge for the Southern District of New York, at the United States Courthouse located at 300 Quarropas Street, White Plains, New York 10601, on a date and time to be determined by the Court, seeking an Order: (1) pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Plaintiff's claims under 42 U.S.C. §1985 for failure to assert the existence of a conspiracy to violate Plaintiff's Constitutional rights; (2) pursuant to Fed. R. Civ. P. 12(b)(6), dismissing Plaintiff's pendent state law tort claims with prejudice for failure to state a cause of action and/or as barred by the applicable statute(s) of limitations; or, in the alternative, (3) declining to exercise supplemental jurisdiction over such pendent state law claims pursuant to 42 U.S.C. §1362; and (4) for such other and further relief as the Court seems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Order of the Court issued on June 24, 2019, opposition papers must be served not later than August 26, 2019.

Dated: Newburgh, New York
July 19, 2019

Yours, etc.
CATANIA, MAHON, MILLIGRAM
& RIDER, PLLC



RICHARD M. MAHON, II (RM-9260)

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ZION SAAL (s/h/a ZION SALL) and
ESTHER R. MASRI*

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